

Exhibit 21



SOCIAL SECURITY

Refer to:

S9H: SSA-2019-002259

August 19, 2019

Mr. Michael J. McDougall
Akin, Gump, Strauss, Hauer, & Feld LLP
mmcdougall@akingump.com

Dear Mr. McDougall:

The purpose of this letter is to inform you of updated fees associated with your Freedom of Information Act (FOIA) request.

You submitted a FOIA request for the Supplemental Security Income Displays (SSID) for 433 allegedly deceased individuals. On April 3, 2019, we provided you the full SSIDs, both active and inactive, of 316 deceased individuals for whom we have acceptable proofs of death in our records. On May 2, 2019, you submitted an appeal of our April 3 response. In your appeal, you clarified that you would like the full SSID with the *full* computational and payment history data/field for the dates specified.

Retrieving and reviewing this information requires substantial time. We determined that your request is for non-program related purposes and therefore, the agency should charge the full costs it incurs when providing you this information. *See* 20 C.F.R. § 402.175. Section 1106 of the Social Security Act (Act) gives the agency the authority to charge full costs for responding to information requests that are for non-program related purposes, regardless of the fee provisions of FOIA. 42 U.S.C. § 1306(c). Because the agency is invoking its authority under section 1106 of the Act, your status as a FOIA requester is irrelevant and the agency will charge you the full costs of fulfilling your request regardless of your status as a commercial requester. *See* 20 C.F.R. § 402.175(c).

When our employees search for records, we charge the following hourly rate depending on the grade of the employee:

- \$16.00 (GS-1 through GS-8)
- \$33.00 (GS-9 through GS-14)
- \$59.00 (GS-15 and above)

We estimate the cost to provide the full computational and payment history data/fields concerning 316 deceased individuals is \$5,181.00, which includes 125 hours of search time at \$33.00 per hour and 32 hours of review time at \$33.00 per hour. If there is a duplication fee, we will bill you. In addition, according to our regulations at 20 C.F.R. § 402.175(e), we may charge a fee for search time even if we are unable to locate any responsive records or the records are exempt from disclosure.

Please note that this fee notice is only applicable to the 316 deceased individuals for whom we have acceptable proofs of death in our records. We are still reviewing the second portion of your

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appeal concerning our withholding of the SSIDs for the 116 individuals for whom we do not have acceptable proofs of death in our records.

If you want us to proceed with your request, **you must let us know**. You may also narrow the scope of your request or set a limit on the amount you are willing to pay. You may pay by check or money order payable to SSA or by credit card (MasterCard, Visa, Discover, American Express, or Diner's Club). To pay by credit card, complete and sign the enclosed form. Include your credit card number and expiration date.

You may submit payment information by email to FOIA.Public.Liaison@ssa.gov or by mail to my attention at the Social Security Administration, Office of the General Counsel, Office of Privacy and Disclosure, G-401 WHR, 6401 Security Boulevard, Baltimore, MD 21235. Please annotate the case number above on your payment. **If we do not receive payment within ten business days from the date of this letter, we will administratively close your request.** You will not receive a separate notification that we closed your request.

If you have questions, or would like further assistance with your request, you may contact our FOIA Public Liaison by email at FOIA.Public.Liaison@ssa.gov; by phone at 410-965-1727, by choosing Option 2; or facsimile at 410-966-0869.

You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration for dispute resolution services. OGIS is an entity outside of SSA that offers mediation services to resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

If you disagree with this decision, you may file a written appeal with the Executive Director for the Office of Privacy and Disclosure, Social Security Administration, G-401 WHR, 6401 Security Boulevard, Baltimore, Maryland 21235. Your appeal must be postmarked or electronically transmitted to FOIA.Public.Liaison@ssa.gov within 90 days of the date of our response to your initial request. Please mark the envelope or subject line with "Freedom of Information Appeal."

Sincerely,



Mary Ann Zimmerman
Freedom of Information Officer

Enclosure

CC: Christopher Keough
Akin, Gump, Strauss, Hauer, & Feld LLP
ckeough@akingump.com